

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Gram Panchayats – Smt A. Bharathi, Sarpanch (U/S), S. Atchuthapuram Gram Panchayat of Kakinada Rural Mandal of East Godavari District – Revision Petition filed against the proceedings of the District Collector (PW), East Godavari District – Allowed – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (PTS.II) DEPARTMENT

G.O.Rt.No. 772

Dated: 20.05.2011

Read the following:-

1. From the District Collector (PW), East Godavari District, Roc.No.6119/08-A2, Dated 20.11.2009.
2. From Smt. Angara Bharathi, Sarpanch (U/s), S. Atchuthapuram Gram Panchayat, Kakinada Rural Mandal of East Godavari District, Revision Petition, dt. 21.11.2009.
3. Govt.Memo.No.24707/Pts.II/A1/2009-2, dt. 26.12.09.
4. From the Asst. Registrar, A.P.H.C., Hyd., W.P.No.543 of 2010, Dt.20.1.2010.
5. From the District Collector (PW), E.G.Dist. Kakinada Roc.No.6119/08-A1, dt.8.6.2010.
6. From the District Collector (PW), E.G.Dist. Kakinada Roc.No.6119/08-A1, dt.22-07.2010.
7. Govt.Memo.No.24707/Pts.II/A1/2009-8, Dt.29.1.2011.
8. From the DPO, E.G.Dist. Kakinada Roc.No.6119/08-A1, dt. 2-05-2011.

ORDER:

In the reference 1st read above, the District Collector (PW), East Godavari District has suspended Smt. A. Bharathi, from the Post of Sarpanch of S. Atchuthapuram Gram Panchayat of Kakinada Rural Mandal of East Godavari District for misappropriation of Gram Panchayat funds to a tune of Rs. 5,82,233/- under section 249(6) of A.P.P.R.Act, 1994.

2. In the reference 2nd read above, Aggrieved by the said orders, Smt A. Bharathi, Sarpanch, S.Atchuthapuram Gram Panchayat of Kakinada Rural Mandal of East Godavari District has filed a Revision Petition dt. 21.11.09 before Government and requested to set aside the orders of District Collector (PW), East Godavari District dt. 20.11.09 Issued vide reference 1st read above.

3. In the references 3rd read above, Government while granting stay against the proceedings of the District Collector (PW), East Godavari District has called his report.

4. In the reference 4th read above, the Hon'ble High Court while dismissing the W.P No.543 of 2010, dt. 20.1.2010 filed by Sri P. Subrahmanyeswara Rao, R/o. D.No.4-76, S. Atchutapuram village, Kakinada (R)Mandal, East Godavari District has directed to the Petitioner that the petitioner is given liberty to move respondent No. 1 to implead himself and vacate the interim order granted in favour of respondent 5.

5. In the reference 5th read above, the District Collector (PW), East Godavari District dt. 8.6.2010 has reported that in pursuance of grave financial irregularities made by Smt. Angara Bharathi, Sarpanch, S. Atchutapuram Gram Panchayat in violation of rules in vogue and established procedure as a drawing Officer, it is contemplated that the above said individual should suspend from the post of Sarpanch u/s 249 (6) of APPR Act, 1994 to safe guard the Gram Panchayat funds besides to recover the said irregular and misused expenditure u/s 265 (2) of APPR Act, 1994. Hence, she was placed under suspension for a period of 3 months vide reference 1st read above.

(Contd...2)

6. The case was heard on 29-10-2010. The District Panchayat Officer and the Sarpanch have attended the hearing. During the hearing, the Sarpanch has requested to grant time to produce the records duly rectifying the procedural lapses. Hence, it has instructed to the District Panchayat Officer to verify the records produced by the Sarpanch and send report within 10 days. The Sarpanch has been directed to remit the amount, if any found objectionable by the District Panchayat Officer. The case was again heard on 17-01-2011. During the hearing, for further report the case was adjourned.

7. In the reference 8th read above, the District Panchayat Officer, East Godavari dt. 2.5.2011 has reported that as per instructions of the Government, the records were verified and the misappropriated have been collected from the Sarpanch and credited into the Gram Panchayat accounts by challans and also rectified the procedural lapses by the Sarpanch by approving the S. Achutapuram Gram Sabha.

8. The case was heard on 04.05.2011. The DPO and the Sarpanch have attended the hearing. During the hearing It has observed that the District Panchayat Officer, East Godavari District in his letter dt. 02.05.2011 informed that the Sarpanch has remitted the interest on the advance drawn from the TFC and publication charges to the accounts of the GP. The Expenditure on electrical goods and flexi Boards were rectified and found correct. The Sarpanch has stated that she has remitted the amount to the account of the GP and produced the copies of the challans and requested to drop the charges levelled against her.

9. After hearing them and based on the material available on the record, it is observed that the Sarpanch S. Achutapuram Gram Panchayat has remitted the alleged misappropriation amount to the accounts of the GP and rectified other charges.

10. The Government after careful examination of the case and the material available in the records and decided that the Appeal Petition filed by Smt. Bharathi, Sarpanch be allowed by set aside the proceedings of the District Collector (PW), East Godavari District dt. 20.11.2009 issued vide reference 1st read above by taking a lenient view considering the circumstances of this case.

11. The District Collector (PW), East Godavari District shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. RAJIV SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The District Collector (PW), East Godavari District.
Copy to:-
The Commissioner PR&RE AP Hyderabad.
The District Panchayat Officer , East Godavari District.
Smt. A. Bharathi, Sarpanch, S. Atchuthapram Gram Panchayat, Kakinada
Rural Mandal, East Godavari District.
The Govt. Pleader for PR&RD, AP., Hyderabad.(with a request to take
necessary action.)
The P.S. to Hon'ble M.(PR)
The P.S. to Prl.Secy., PR&RD Dept.
Sf / sc.

//FORWARDED BY ORDER//

SECTION OFFICER